

**UNITED STATES DEPARTMENT OF COMMERCE****United States Patent and Trademark Office**

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/489,817	01/24/00	RAHMAN	M 674509-2022

020999  
FROMMER LAWRENCE & HAUG  
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NEW YORK NY 10151

HM22/0719

EXAMINER

. MCELWAIN, E

ART UNIT

PAPER NUMBER

1638

DATE MAILED:

07/19/01

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

The reply filed on May 15, 2001 is not fully responsive to the prior Office action because of the following omission(s) or matter(s): Applicants have elected Group I, claims 1-3. Applicants then cancelled all of the pending claims, including claims 1-3, and submitted new claims 36-109. Applicants then assert that all of the new claims 36-109 would belong as part of Group I. However, clearly claims 36-109 are not all drawn to the invention of Group I, which is drawn to a CC genome. The newly submitted claims include claims that clearly belong to other groups set forth in the restriction requirement, note claims 78-81 drawn to seed oil or seed meal, for example, which are in groups other than Group I in the restriction requirement. Thus, the election of Group I, as set forth in all of the newly submitted claims 36-109 is not fully responsive to the restriction requirement, since it is unclear which invention applicants have elected for prosecution on the merits. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Elizabeth F. McElwain whose telephone number is (703) 308-1794. The examiner can normally be reached on Tuesday through Friday from 7:30 AM to 5:00 PM. The examiner can also be reached on alternate Mondays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula Hutzell, can be reached at (703) 308-4310. The fax phone number for this Group is (703) 308-4242. The faxing of such papers must conform with the notice published in the Official Gazette, 1096 OG 30 (November 15, 1989).

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Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0196.

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Elizabeth F. McElwain, Ph.D.  
July 17, 2001

ELIZABETH F. McELWAIN  
PRIMARY EXAMINER  
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